

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

211

CWP-2589-2023

Date of Decision : 12.10.2023

Sukhwinder Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.M.S.Bains, Advocate
for the petitioner.

Ms. Monica Chawla, Central Govt. Counsel
for respondents No.1 to 3.

Ms. Lavanya Paul, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to the respondents to issue him passport.

2. The petitioner applied for passport on 05.10.2021, however, passport was not issued on account of involvement of the petitioner in FIR No.65 dated 14.05.2019, under Sections 323, 324, 148, 149 of IPC registered at Police Station Dirba, District Sangrur.

3. Learned counsel for the petitioner submits that as on date, neither *challan* has been filed against the petitioner nor any Court has taken cognizance of crime against the petitioner. The respondents-authorities are precluded to invoke rigour of Clause (e), (f) and (g) of Section 6 (2) of the

Passport Act.

4. Learned State counsel submits that police after completing investigation filed cancellation report, however, vide order dated 25.09.2023, the trial Court has directed the police to conduct further investigation.
5. Learned counsel for respondents No.1 to 3-UOI submits that the application of the petitioner has already been closed and if petitioner files fresh application, it would be disposed of in accordance with law.
6. Faced with this, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to file fresh application seeking passport.
7. Dismissed as withdrawn with liberty aforesaid. The passport authority shall decide application of the petitioner considering the judgment of this Court in *Mohan Lal @ Mohna vs. Union of India and others, 2023 SCC Online (P&H) 1391.*

12.10.2023
anju

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>